

EXHIBIT 15

Public Comment for Nevada Board of Prisons Meeting 4/14/09

Denial of medical care, other civil rights violations and NDOC's use of the federal courts as a grievance process

"If we handle grievances and discipline in a balanced and fair manner, that eliminates lawsuits, which are expensive and time-consuming...as an inmate, you know you're going to get a fair shot..." ---Howard Skolnik

In late 2006, my husband was forced to file a federal civil rights lawsuit for denial of care for his serious medical needs, needs which had been diagnosed by NDOC's own doctors. Magistrate Judge McQuaid in a Report and Recommendation to the court wrote:

... Defendants failed to act despite having knowledge of a substantial risk of serious harm. "Deliberate indifference to serious medical needs of prisoners constitutes the 'unnecessary and wanton infliction of pain," proscribed by the Eighth Amendment." ...Defendants have denied and delayed Plaintiff's access to medical care by refusing to follow the suggested course of treatment for Plaintiff's condition and, instead, merely providing Plaintiff with pain medication (although that is in dispute as well).

In spite of Judge McQuaid's strongly worded opinion and an unequivocal diagnosis by NDOC's own doctors, my husband continues to suffer. The violation of his civil rights is worse than ever. As part of a campaign of retaliation, in fact, my entire family's civil rights have been violated.

I sought help in resolving the withdrawal of my family's visitation privileges several times. In addition, I submitted a public comment to the April 2008 BOP meeting; but, because no one at NDOC was willing to mediate the visitation issue, we were forced to file yet another civil rights lawsuit. The court allowed the case to proceed in March of this year. We are happy with the judge's order, but we would prefer to just visit my husband; we haven't seen him since 2005 and he has two new grandchildren born since that time.

Neither the medical case nor the visitation case ever needed to go to federal court. With oversight, arbitration or mediation, these issues should have been resolved quickly and easily.

Also, please consider that the following civil rights violations are ongoing and recurring. Administrative remedies have been exhausted on each one of them and each one of them, if not resolved, may end up being litigated in federal court. Not only is this immensely hard on my family, it is not fair to the hard working people of Nevada whose state and federal resources are being drained to pay for the complete lack of oversight of NDOC and the arbitrary decisions made by certain officials.

DENIAL OF USE OF MEDICALLY PRESCRIBED WALKER AND/OR CANE – NDOC doctors prescribed a walker and/or cane, yet wardens have summarily rescinded that medical order

STOPPING OF PRESCRIBED MEDICATION BY A NURSE –NDOC had my husband on pain medication for over a year. On his return to ESP from NSP, a nurse summarily discontinued his pain medication, causing further excruciating pain as well as "cold turkey" withdrawal from narcotic pain medication without even medical

monitoring, in spite of the fact that the patient suffers from severe hypertension and blocked coronary arteries.

CONFISCATION OF PRESCRIBED EYE GLASSES –Patient's eyeglasses were confiscated and all requests to see an eye doctor have been denied. This has caused excruciating headaches and eye pain.

A NURSE'S RESCINDING OF NO-KNEEL ORDER PRESCRIBED FOR SEVERE DEGENERATIVE DISC DISORDER –A nurse summarily discontinued a no-kneel order that had been prescribed by NDOC doctors. The nurse claims that he discontinued the order because patient had "assaulted staff," even though that never happened and the disciplinary charges for this event were dismissed.

UNAUTHORIZED TAKING OF MONEY FROM INMATE'S ACCOUNT even after a restitution sanction has been lifted. Family services and my husband's case worker refuse to discuss this issue; therefore NDOC is taking half of my husband's money as restitution, even though the restitution sanction has been rescinded by Warden Greg Smith.

CONFISCATION OF SAGE, THE HERB USED BY NATIVE AMERICANS FOR SPIRITUAL PURPOSES It is the first time in almost 25 years that his religious rights have been violated in such a way.

It is outrageous to the reasonable person not only that these gross civil rights violations continue unabated, but that the only recourse for inmates and their families is the overburdened federal court system. Such unnecessary litigation places a financial strain on state and federal resources. We do not enjoy litigation. In fact, it is ruining our lives. We just want the violation of our rights to cease.

This pattern of retaliation and abuse must stop. My husband has been in the system for almost 25 years. He and his father were convicted of killing the man who raped their sister and daughter respectively. My father in law served 18 years and was released. His son, however, will pay with his life since his sentence was life without parole. But his sentence should be the punishment: He should not be subjected to cruel and unusual punishment in the form of denial of medical care, summary denial of the use of prescribed medical devices or the basics of a civilized life for a disabled person. And the people of Nevada should not be punished by having to spend their hard-earned dollars to pay for litigation for issues that should and could be easily resolved by professionals acting as adults instead of as tantrum-throwing babies seeking retaliation.

I have made a good faith effort to attempt to mediate each of the above-mentioned issues with prison officials. Additionally, my husband has filed grievances, all to no avail. No one will resolve or even discuss these issues, leaving us, in the end, no alternative but to go to federal court yet again.

WE DO NOT WANT LITIGATION; WE DO NOT WANT MONEY FROM THE STATE: WE SIMPLY WANT THE VIOLATIONS OF OUR CONSTITUTIONAL RIGHTS TO CEASE.

I recently read an article where Mr. Skolnik says, *"If we handle grievances and discipline in a balanced and fair manner, that eliminates lawsuits, which are expensive and time-consuming...As an inmate, you know you're going to get a fair shot, which diminishes the likelihood of something boiling over."*

The administrative regulations are in place, federal law is in place, and Mr. Skolnik's words express the right sentiment. It is my hope that the BOP commissioners will be able to assist my family in resolving these issues, so that my husband's physical suffering can end and he can finally meet the grandchildren born since the imposition of this unconstitutional visiting sanction. It is also my hope that we can avoid further expensive and time-consuming litigation.

I am able and willing to provide documentation of every issue discussed herein.